



Section 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jay S. Walker et al. )  
For: PRE-SALE DATA ) Examiner: Not Yet Assigned  
BROADCAST SYSTEM AND )  
METHOD )  
Serial No.: 09/221,099 ) Group Art Unit: 2761  
Filing Date: December 28, 1998 ) Docket No.: WD2-98-112

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL LETTER

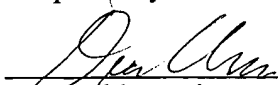
Applicants hereby submit the following documents for the above-identified patent application:

1. Copy of Notice to File Missing Parts;
2. Response to Notice to File Missing Parts;
3. Copy of Combined Declaration and Power of Attorney;
4. Verified Statement Claiming Small Entity and
4. Postcard.

The Commissioner is hereby authorized to charge \$ 1,864.00 to Deposit Account No. 50-0271 for the fees required for the enclosed Response to Missing Parts. The Commissioner is further authorized to charge any further required fees, or to credit any overpayment, to Deposit Account No. 50-0271. A duplicate copy of this authorization is attached for such purpose.

February 23, 1999  
Date

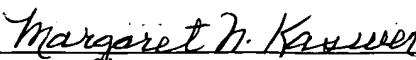
Respectfully submitted,

  
\_\_\_\_\_  
Dean Alderucci  
Attorney for Applicants  
PTO Reg. No. 40,484  
Walker Digital Corporation  
Five High Ridge Park  
Stamford, CT 06905

**Certificate of Mailing**

I hereby certify that this correspondence is being sent via first class mail in an envelope with sufficient postage addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 Attn: Application Processing Division's Customer Correction Branch on February 23, 1999.

Margaret N. Kaswer  
Typed Name of Person Making  
Deposit

  
\_\_\_\_\_  
Signature Date 2/23/99

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
WD2-98-112

In Re Application Of: Jay S. WALKER et al.

Serial No.  
09/221,099

Filing Date  
28 December 1998

Examiner  
Not Assigned

Group Art Unit  
2761

Invention: **PRE-SALE DATA BROADCAST SYSTEM AND METHOD**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
22 January 1999  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ 1 verified small entity declaration(s)
  - ☒ is/are attached.
  - ☐ was/were filed on \_\_\_\_\_
- ☐ A separate request for refund.
- ☐ Other (list):

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
**WD2-98-112**

In Re Application Of: **Jay S. WALKER et al.**

Serial No.  
**09/221,099**

Filing Date  
**28 December 1998**

Examiner  
**Not Assigned**

Group Art Unit  
**2761**

Invention: **PRE-SALE DATA BROADCAST SYSTEM AND METHOD**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

☐ Completion of application fees as calculated below:

<input checked="" type="checkbox"/> Utility application filing fee	<u>\$380.00</u>
<input type="checkbox"/> Design application filing fee	<u>                    </u>
<input checked="" type="checkbox"/> Total number of independent claims = <u>23</u>	<u>\$780.00</u>
<input checked="" type="checkbox"/> Total number of claims = <u>91</u>	<u>\$639.00</u>
<input type="checkbox"/> Multiple dependent claims	<u>                    </u>
<input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath	<u>\$65.00</u>
<input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the invention	<u>                    </u>
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification	<u>                    </u>
<input type="checkbox"/> Fee for processing and retention of application	<u>                    </u>

Total completion of application fees \$1,864.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month      ☐ Two months      ☐ Three months      ☐ Four months      ☐ Five months

from:                      until:                       
Date Date

Total time extension fees                     

Total fees due \$1,864.00

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
**WD2-98-112**

In Re Application Of: **Jay S. WALKER et al.**

Serial No.  
**09/221,099**

Filing Date  
**28 December 1998**

Examiner  
**Not Assigned**

Group Art Unit  
**2761**

Invention: **PRE-SALE DATA BROADCAST SYSTEM AND METHOD**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

The fee of **\$1,864** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-0271**  
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-0271**  
A duplicate copy of this sheet is enclosed.

  
Signature

Dated: **February 23, 1999**

**Dean Alderucci  
Attorney for Applicants  
PTO Reg. No. 40,484  
Walker Digital Corporation  
Intellectual Property Department  
Five High Ridge Park  
Stamford, CT 06905-1326**

I certify that this document and fee is being deposited  
**February 23, 1999** with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

  
Signature of Person Mailing Correspondence

**Margaret N. Kaswer**

*Typed or Printed Name of Person Mailing Correspondence*

**(203) 705-3006**

cc:



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

#3

APPLICATION NUMBER	FILED/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/221,099

12/28/98

WALKER

1

WD2-98-112

0262/0122

DEAN ALDERUCCI  
WALKER DIGITAL CORPORATION  
FIVE HIGH RIDGE PARK  
STAMFORD CT 06905-1326

NOT ASSIGNED

DATE MAILED: 2761

01/22/99

## NOTICE TO FILE MISSING PARTS OF APPLICATION

**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

**If all required items on this form are filed within the period set above, the total amount owed by applicant as a**  
☐ **small entity (statement filed)** ☒ **non-small entity is \$** 3728.00.

- ☒ 1. The statutory basic filing fee is:

☒ missing.

☐ insufficient.

Applicant must submit \$ 160 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27). 2333

- ☒ 2. Additional claim fees of \$ 2838, including any multiple dependent claim fees, are required.

\$ 1560 for 20 independent claims over 3.

\$ 1278 for 71 dependent claims over 20.

\$\_\_\_\_\_ for multiple dependent claim surcharge.

***Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.***

- ☒ 3. The oath or declaration.

- ☒ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1. 63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

***A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.***

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application does not comply with the Sequence Rules.

**See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."**

- ☐ 9. OTHER:

**Direct the reply and any questions about this notice to "Attention: Box Missing Parts."**

**A copy of this notice MUST be returned with the reply.**

Customer Service Center

Initial Patent Examination Division (703) 308-1202

205	745.00	CH
201	380.00	CH
203	639.00	CH
202	740.00	CH